

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BRICKLAYERS' & ALLIED  
CRAFTWORKERS LOCAL #2 ALBANY,  
NY PENSION FUND, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

NEW ORIENTAL EDUCATION &  
TECHNOLOGY GROUP INC.,  
CHENGGANG ZHOU, MICHAEL  
MINHONG YU and ZHIHUI YANG,

Defendants.

ANDRES MIJARES-ORTEGA,  
Individually and On Behalf of All Others  
Similarly Situated,

Plaintiff,

v.

NEW ORIENTAL EDUCATION &  
TECHNOLOGY GROUP INC.,  
CHENGGANG ZHOU, MICHAEL  
MINHONG YU, and ZHIHUI YANG,

Defendants.

No. 1:22-cv-01014-VM

Judge Victor Marrero

CLASS ACTION

ORAL ARGUMENT REQUESTED

No. 1:22-cv-01876-VM

**NOTICE OF MOTION AND MOTION OF GRANITE POINT FOR  
CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF,  
AND APPROVAL OF SELECTION OF LEAD COUNSEL**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that proposed Lead Plaintiff Granite Point Capital 8 Dragons China Opportunities Fund, Granite Point Capital Master Fund, LP, and Granite Point Capital Scorpion Focused Ideas Fund (together, “Granite Point”), will move this Court pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”), 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), on a date and at such time as may be designated by the Court, for the entry of an Order: (i) consolidating the above-captioned actions; (ii) appointing Granite Point as Lead Plaintiff; (iii) approving Granite Point’s selection of Labaton Sucharow LLP as Lead Counsel for the Class; and (iv) granting such other and further relief as the Court may deem just and proper.

This Motion is made on the grounds that Granite Point is the “most adequate plaintiff” under the PSLRA and should therefore be appointed Lead Plaintiff. Granite Point has the “largest financial interest” in the relief sought by the Class in this action. Granite Point also otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure because its claims are typical of other Class members’ claims, and because Granite Point will fairly and adequately represent the Class. Further, Granite Point is the paradigmatic Lead Plaintiff envisioned by Congress in enacting the PSLRA because it is a sophisticated institutional investor with a substantial financial stake in the litigation that will provide effective monitoring and supervision of counsel.

This Motion is based upon the accompanying supporting Memorandum of Law, the concurrently filed Declaration of Francis P. McConville, the pleadings and other filings herein, and such other written or oral argument as may be permitted by the Court.

WHEREFORE, Granite Point respectfully requests that the Court grant its motion and enter an Order: (i) consolidating the above-captioned actions; (ii) appointing Granite Point as

Lead Plaintiff; (iii) approving Granite Point's selection of Labaton Sucharow as Lead Counsel for the Class; and (iv) granting such other and further relief as the Court may deem just and proper.

DATED: April 5, 2022

Respectfully submitted,

/s/ Francis P. McConville

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Granite Point and Proposed Lead  
Counsel for the Class*